



Sen. Dan Kotowski

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09600SB1013sam009

LRB096 07091 WGH 27299 a

1 AMENDMENT TO SENATE BILL 1013

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1013, AS AMENDED,  
3 by inserting the following in its proper numeric sequence in  
4 Article 1:

5 "Section 1-55. The Criminal Code of 1961 is amended by  
6 changing Section 33E-16 and by adding Section 16-1.4 as  
7 follows:

8 (720 ILCS 5/16-1.4 new)

9 Sec. 16-1.4. Theft of public funds.

10 (a) A person commits theft of public funds when he or she:

11 (1) embezzles, steals, purloins, obtains by fraud, or  
12 knowingly converts to his or her use or the use of another,  
13 or without authority sells, conveys, or disposes of, any  
14 record, voucher, money, or thing of value of the State of  
15 Illinois or any department or agency of the State, or of  
16 any unit of local government or school district, or any

1 property made or being made under contract for the State of  
2 Illinois or any department or agency of the State, or any  
3 unit of local government or school district; or

4 (2) receives, conceals, or retains the record,  
5 voucher, money, thing of value, or property described in  
6 paragraph (1) with intent to convert it to his or her use  
7 or gain, knowing it to have been embezzled, stolen,  
8 purloined, obtained by fraud, or converted.

9 (b) For the purposes of this Section, "value" means face,  
10 par, or market value, or cost price, either wholesale or  
11 retail, whichever is greater.

12 (c) Sentence.

13 (1) Theft of public funds involving property not  
14 exceeding \$300 in value is a Class 4 felony.

15 (2) Theft of public funds involving property exceeding  
16 \$300 and not exceeding \$10,000 in value, is a Class 2  
17 felony.

18 (3) Theft of public funds involving property exceeding  
19 \$10,000 and not exceeding \$100,000 in value is a Class 1  
20 felony.

21 (4) Theft of public funds involving property exceeding  
22 \$100,000 and not exceeding \$500,000 in value is a Class X  
23 felony.

24 (5) Theft of public funds involving property exceeding  
25 \$500,000 in value is a Class 1 non-probationable felony.

1 (720 ILCS 5/33E-16)

2 Sec. 33E-16. Misapplication of funds. Whoever, being an  
3 officer, director, agent, or employee of, or affiliated in any  
4 capacity with the State of Illinois or any agency of the State,  
5 or any unit of local government or school district, embezzles,  
6 steals, obtains by fraud, or otherwise without authority  
7 knowingly converts to the use of any person other than the  
8 rightful owner or intentionally misapplies, property that is  
9 owned by, or is under the care, custody, or control of the  
10 State of Illinois or of any agency of the State, a unit of  
11 local government, or school district , ~~willfully misapplies any~~  
12 ~~of the moneys, funds, or credits of the unit of local~~  
13 ~~government or school district~~ is guilty of a Class 3 felony.  
14 (Source: P.A. 90-800, eff. 1-1-99.)".